

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF IOWA

JOSEPH HAEN, on behalf of himself and all
others similarly situated,

Plaintiff,

v.

IOWA TELECOMMUNICATIONS
SERVICES, INC.; ALAN L. WELLS;
KENNETH R. COLE; NORMAN C. FROST;
BRIAN G. HART; H. LYNN HORAK;
CRAIG A. LANG; KENDRIK E. PACKER;
and WINDSTREAM CORPORATION,

Defendants.

C.A. No. 4:09-cv-501

**EXPEDITED RELIEF
REQUESTED and ORAL
ARGUMENT REQUESTED**

**DECLARATION OF DONALD J. ENRIGHT IN SUPPORT OF PLAINTIFF
JOSEPH HAEN'S MOTION TO EXPEDITE DISCOVERY PROCEEDINGS**

I, DONALD J. ENRIGHT, declare as follows:

1. I am a member in good standing of the District of Columbia Bar. I am a partner at the law firm Finkelstein Thompson LLP, counsel for Plaintiff Joseph Haen ("Plaintiff"). My application for admission *pro hac vice* has been filed with the Court. The following statements are based on my personal knowledge, and if called on to do so, I could and would testify competently thereto. I make this declaration in support of Plaintiff's Motion to Expedite Discovery Proceedings.

2. Plaintiff's class action complaint seeks injunctive and other appropriate relief in connection with the acquisition of Iowa Telecommunications Services, Inc. ("Iowa Telecom" or the "Company") by Windstream Corporation ("Windstream") announced on

November 24, 2009 ("Proposed Transaction"). Plaintiff also intends to file a motion for preliminary injunction with this Court.

3. To my knowledge, this Court has not yet set a scheduling conference or set a deadline for the parties to complete the Fed. R. Civ. P. 26(f) conference, and, thus, Plaintiff is unable to determine when he may commence discovery.

4. Plaintiff served Iowa Telecom, Windstream, and Defendant Alan L. Wells with the complaint on December 16, 2009.

5. On December 15, 2009, my office faxed a letter to the law firms listed in the Merger Agreement as counsel for Defendants Iowa Telecom and Windstream regarding the Proposed Transaction. The letter requested that Defendants stipulate to expedited discovery proceedings in light of Plaintiff's forthcoming motion for preliminary injunction. The letter also notified Defendants' counsel that Plaintiff intended to move for expedited discovery proceedings if Defendants failed to stipulate to expedited discovery or failed to respond to the letter. The letter also informed Defendants that Plaintiff would be willing to stipulate to a protective order to safeguard the confidentiality of internal documents produced by Defendants. As of December 17, 2009, Defendants have not responded to this letter.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed this 17th day of December 2009, at Washington, D.C.



Donald J. Enright